



COUNTY OF LOS ANGELES DEPARTMENT OF CONSUMER AFFAIRS

"To Enrich Lives Through Effective and Caring Service"

Members of the Board

Gloria Molina
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Don Knabe
Michael D. Antonovich

Pastor Herrera, Jr.
Director

May 2, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**REQUEST FOR TERM EXTENSIONS FOR TWO (2) CABLE TELEVISION
FRANCHISES IN THE UNINCORPORATED AREAS OF LAKE HUGHES
GRANTED TO CAPP'S TV ELECTRONICS, INC., AND PALOS VERDES
GRANTED TO COXCOM, INC.**

(4th, 5th Districts) (3 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve two (2) ordinance amendments to extend the term of the cable television franchises through December 31, 2007 in the unincorporated areas of Lake Hughes and Palos Verdes.
2. Introduce, waive reading and place on your Board's Agenda for adoption the attached ordinances that implement the above recommendations.
3. Find these franchise extensions categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Class 1, Section (e), of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15301 of the State CEQA Guidelines.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Capp's TV Electronics, Inc., a California corporation, and CoxCom, Inc., a Delaware corporation have cable television franchises with the County that expire on June 30, 2006. These short-term franchise extensions are necessary while addressing legislative

threats to local cable franchising. Legislation has been introduced that may significantly impact all local cable franchising authorities, such as the County. A Federal bill entitled, the "Communications, Promotion and Enhancement Act of 2006", "COPE" has been introduced by Barton, Upton, Pickering and Rush. A State bill, AB2987, "The Digital Infrastructure and Video Competition Act of 2006" has been introduced by Nuñez and Levine.

How the County proceeds with regard to its amendment of Title 16, Division 4 of the County Code, and renewal of its cable franchises will be dependent on the outcome of the pending legislation. Consumer Affairs is working with the Chief Administrative Office and County Counsel to ensure that the County's interests are considered.

Term extensions are requested for the following franchises:

Lake Hughes, Ordinance No. 87-0057F, as amended, granted to Capp's TV Electronics, Inc., a California corporation; and

Palos Verdes, Ordinance No. 89-0097F, as amended, granted to CoxCom, Inc., a Delaware corporation.

Implementation of Strategic Plan Goals

Approval of these recommendations will assist in implementing the Countywide Strategic Plan goal of fiscal responsibility. This will ensure the continuation of revenue provided to the County by statute.

FISCAL IMPACT/FINANCING

There will be no cost to the County. These cable television franchises generate revenue to the County. Section 622 (b) of the Cable Act of 1984 [47 U.S.C. §542 (b)] gives a local franchising authority, such as the County, the right to collect franchise fees of no more than five percent (5%) of total gross revenues collected by a cable television franchisee over a 12-month period. The extension of these cable television franchises will allow continued collection of these franchise fees.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Office of the County Counsel has reviewed the attached ordinances and approved them as to form.

ENVIRONMENTAL DOCUMENTATION

The term extension of these cable television franchises is categorically exempt under CEQA pursuant to Class 1, Section (e) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15301 of the State CEQA Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact on current services.

CONCLUSION

It is requested that the Executive Office-Clerk of the Board notify Mr. Earl Capp Loughboro, President and CEO, Capp's TV Electronics, Inc., 1399 Arundell Avenue, Ventura, CA 93003, Mr. James M. Leach, Vice President Government Affairs, COX Communications, 29947 Avenida De Las Banderas, Rancho Santa Margarita, CA 92688, Chief Administrative Office, Auditor-Controller, County Counsel, Department of Public Works, and Department of Consumer Affairs of the Board's action in this matter.

Respectfully submitted,

Pastor Herrera, Jr.
Director

Enclosures: (2) Ordinances

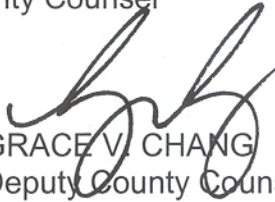
c: Executive Officer, Board of Supervisors
Chief Administrative Officer
Auditor-Controller
County Counsel
Department of Public Works

ANALYSIS

This ordinance extends through December 31, 2007, a franchise to operate a cable television system to provide cable television service in the Lake Hughes unincorporated area, granted by Ordinance No. 87-0057F, as amended, to Capp's TV Electronics, Inc., a California corporation.

RAYMOND G. FORTNER, JR.
County Counsel

By



GRACE V. CHANG
Deputy County Counsel
Property Division

GVC:gjh

3/20/06 (requested)

4/6/06 (revised)

ORDINANCE NO. _____

An ordinance extending through December 31, 2007, a franchise to operate a cable television system to provide cable television service in the Lake Hughes unincorporated area, granted to Capp's TV Electronics, Inc., a California corporation.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 1 of Ordinance No. 87-0057F, as amended, is hereby amended to read as follows:

Section 1. Pursuant to ~~Section~~ 53066 of the Government Code of the State of California, the right, privilege, and franchise is granted to Capp's TV Electronics, Inc., a California corporation ("Franchisee"), through ~~June 30, 2006~~ December 31, 2007, to construct, reconstruct, maintain, and to operate a Cable Television System (hereinafter called "System") in the unincorporated Service Area of the County of Los Angeles, described in Section 2 below, and to construct, reconstruct, maintain, operate, renew, repair, and remove in this Service Area radio and television signal transmission lines and cables and all appurtenances and/or service connections (hereinafter jointly referred to as "Facilities") which are necessary or convenient for the provision of a System. Said grant is subject to the faithful performance and observance by Franchisee of all the terms and conditions herein.

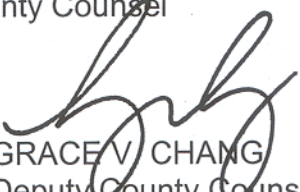
[CappsLakeHughesExtGCCC]

ANALYSIS

This ordinance extends through December 31, 2007, a franchise to operate a cable television system to provide cable television service in the Palos Verdes unincorporated area, granted by Ordinance No. 89-0097F, as amended, to CoxCom, Inc., a Delaware corporation.

RAYMOND G. FORTNER, JR.
County Counsel

By



GRACE V. CHANG
Deputy County Counsel
Property Division

GVC:gjh

3/20/06 (requested)

4/6/06 (revised)

ORDINANCE NO. _____

An ordinance extending through December 31, 2007, a franchise to operate a cable television system to provide cable television service in the Palos Verdes unincorporated area, granted to CoxCom, Inc., a Delaware corporation.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 1 of Ordinance No. 89-0097F, as amended, is hereby amended to read as follows:

Section 1. Pursuant to ~~Section~~ 53066 of the Government Code of the State of California, the right, privilege, and franchise is granted to CoxCom, Inc., a Delaware corporation, ("Franchisee"), through ~~June 30, 2006~~ December 31, 2007, to construct, reconstruct, maintain, and to operate a Cable Television System (hereinafter called "System") in the unincorporated Service Areas of the County of Los Angeles, described in Section 2 below, and to construct, reconstruct, maintain, operate, renew, repair, and remove in these Service Areas radio and television signal transmission lines and cables and all appurtenances and/or service connections (hereinafter jointly referred to as "Facilities") which are necessary or convenient for the provision of a System. This grant is subject to the faithful performance and observance by Franchisee of all the terms and conditions herein.

[CoxComPalosVerdesExtGCCC]